

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAN 10 2006

JAMES R. LARSEN, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

STATE OF WASHINGTON,

Plaintiff,

v.

SAMUEL W. BODMAN, Secretary of  
Energy, and the UNITED STATES  
DEPARTMENT OF ENERGY,

Defendants.

No. CV-03-5018-AAM

FINAL JUDGMENT ON  
COUNT 3 OF PLAINTIFF'S  
FIRST AMENDED COMPLAINT  
(HAZARDOUS WASTE  
MANAGEMENT ACT)

Having considered the parties' stipulation with regard to the Court's Order entered on January 24, 2005 (Doc. 262) in connection with the cross-motions for summary judgment on Count 3 (Hazardous Waste Management Act) of the State's First Amended Complaint, the Court finds good cause to enter final judgment on Count 3, pursuant to Fed. R. Civ. P. 54. Accordingly,

IT IS HEREBY ORDERED THAT final judgment is entered with regard to Count 3 of the plaintiff's First Amended Complaint. By entry of this final judgment, the Court notes that, pursuant to the October 2003 Settlement Agreement entered into by the United States and the State and the terms of the M-91 Milestones in the Hanford Federal Facility Administrative Consent Order (HFFACO), entry of final judgment on Count 3 in favor of the State has the effect,

FINAL JUDGMENT ON COUNT 3 OF PLAINTIFF'S FIRST AMENDED COMPLAINT  
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1 as stated in those agreements, of making certain M-91 Milestones enforceable so  
2 long as this final judgment remains in effect. The Court finds, with the  
3 concurrence of the parties, that no additional relief is necessary, nor is any  
4 additional relief awarded, by virtue of the entry of final judgment on Count 3  
5 (Hazardous Waste Management Act) of the State's Complaint.

6 SO ORDERED.

7 DATED: January 10<sup>th</sup>, 2006.

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10 Hon. ALAN A. McDONALD  
11 Senior United States District Judge  
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18 PRESENTED BY:

19 MICHAEL J. ZEVENBERGEN  
20 CYNTHIA S. HUBER  
21 CHARLES R. SHOCKEY  
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29 FINAL JUDGMENT ON COUNT 3 OF PLAINTIFF'S FIRST AMENDED COMPLAINT  
(HAZARDOUS WASTE MANAGEMENT ACT)